

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

JOHN B. ADRAIN,

Plaintiff,

vs.

AMAZON.COM, INC., BEST BUY CO., INC.,
GAMESTOP CORP., MICROSOFT
CORPORATION, TARGET CORPORATION,
TOYS "R" US, INC.; and WAL-MART
STORES, INC.

Defendants.

§ Case No. 2:13-cv-967

§ **JURY TRIAL DEMANDED**

**JOINT MOTION FOR DISMISSAL WITH PREJUDICE
OF DEFENDANT MICROSOFT CORPORATION**

Having reached a settlement, Plaintiff John B. Adrain ("Plaintiff") and Defendant, Microsoft Corporation, pursuant to FED. R. CIV. P. 41(a)(1), hereby move for an order dismissing all claims brought by Plaintiff against Defendant, Microsoft Corporation in this action as follows:

1. All claims brought by Plaintiff against Defendant, Microsoft Corporation shall be dismissed with prejudice.
2. Each party shall bear its own costs, expenses and attorneys' fees.

Dated: January 20, 2014

Respectfully submitted,

By: /s/ John T. Polasek

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**ATTORNEY FOR DEFENDANT,
MICROSOFT CORPORATION**

CERTIFICATE OF CONFERENCE

In compliance with Local Rule CV-7(h), I hereby certify that counsel for John B. Adrain has conferred with counsel for Defendant and this motion is unopposed.

/s/ John T. Polasek

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this 20th day of January, 2014. All other counsel not deemed to have consented to service in such manner will be served via facsimile transmission and/or first class mail.

/s/ John T. Polasek
John T. Polasek